

File COPY

Town of Essex
Zoning Board of Appeals
29 West Avenue, Essex, CT 06426

Variance Application

#1473

Date received by office 4/21/2023 Application fee - \$50 + State fee - \$60 = \$110 Pd.

Application # 23-3 Hearing Date May 16, 2023

Premises: Street Address 50 S. MAIN ST

Assessor's Map # 46 Lot # 42 Lot Area _____ ac

Zoning District VR Deed Reference: Book 349 Page 597

Owner of Property RQBNN, LLC

Address 50 S. MAIN ST, ESSEX CT 06426
Street Town State Zip

Telephone 860-227-5746 Email: ceci.deschenes@gmail.com
home work

Applicant (if not owner) _____

Address _____
Street Town State Zip

Telephone _____ Email: _____
home work

Note:
1) TO BE ACCEPTED BY THE LAND USE OFFICE. THIS APPLICATION MUST BE COMPLETED, SIGNED, AND SUBMITTED WITH THE REQUIRED FEE(S) AND MAP(S) PREPARED IN ACCORDANCE WITH THE APPLICABLE REGULATIONS.
2) SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE BOARD OR ITS STAFF TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTION.
3) SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S AGREEMENT TO PAY ALL ADDITIONAL FEES AND/OR ADDRESS SUCH COSTS DEEMED NECESSARY BY THE LAND USE OFFICE AS DESCRIBED IN PART THREE OF THIS APPLICATION.

Signature (Authorized Agent) Ceci Deschenes Date 4/21/2023

Current use of the property Residential Business Farm Other _____

Is any portion of property within 500' of another Town? Yes No

Is the property within the Gateway Conservation District? Yes No

If this application is for a variance(s) please complete the following sections:

1. Variance(s) requested of the Essex Zoning Regulations
 Check those that apply and write in sections that variances are requested

Section No.	Allowed/Required per the regulations	Existing	Requested
<input checked="" type="checkbox"/> 40C	No buildings within the setbacks		
<input checked="" type="checkbox"/> 40D	No improvements except in conformity		
<input type="checkbox"/> 40E	No change in the use of any land or improvement, in the location of any improvement, or in the size of shape of any lot or improvement except in conformity with the zoning regs.		
	60B, 40I.1 Coverage	13.8%	inc. by 5.8% to 19.6% total
	60B, 40I.1 Setbacks	—	14' & 18' South North
	Height		

(Please attach supplemental sheets if space provided is insufficient)

Yes No
 1a). Is a variance requested of Section 101E Gateway Buffer Area? If yes, the application shall be reviewed by the Essex Inland Wetlands and Watercourses Commission (per Section 140L) and a letter of referral shall be provided by the EIWWC prior to attending the ZBA meeting.

2. Variance is requested to allow (Please describe proposed use, dimensions, height and location of any new construction PLUS any changes to use, size, shape, bulk, footprint, floor area or height of existing structure)

Construction of 104 ft² porch and 845 ft² deck to level sloped yard and enable use; requesting 14' on south side and 18' on north side setbacks and an increase in coverage of 5.8%

(Please attach supplemental sheets if space provided is insufficient)

3. Strict application of Essex Zoning Regulations would result in an unusual hardship because of the following characteristics of the property (Support topological hardship claims with photographs, survey, etc.)

- a. Sloped yard prevents use as is.
- b. Existing crumbling retaining wall is a hazard & new deck would correct this & resolve problem.
- c. Current porch is too small to provide protection from bad weather.

4. The above hardship is unique to this parcel and not shared by other in the area because:

- a. Unique footprint (size & shape) of the lot makes any improvements near impossible without a variance.
- b. Leaching Field & Two houses on property make
- c. locating for deck extremely limited.

5. Described proposed reductions in legal pre-existing nonconformities, if any

- a.
- b.
- c.

The requested variance(s) are in harmony with the purpose and intent of Essex Zoning Regulations because:

- a. It is minimally intrusive on neighbors.
- b. It enhances ~~the~~ and enables use of the yard, and ~~the~~ enables access to physically handicapped.
- c. _____

Have previous applications been made for this property? Yes No

If yes, previous application #s _____ Date _____
Prior variance request: _____ Variance Board Action _____

The following items must be included as part of this application:

- a. Fee of \$110.00 – Town Fee \$50 plus \$60 State Fee...payable to the Town of Essex
- b. 10 copies of the application, site plan (with setback lines) and sketch of the proposal.
- c. Copy of property deed
- d. Referral from Health Department
- NA e. Referral from Essex IWWC (if applicable)
- NA f. Referral from adjacent towns
- In process g. Referral from Gateway Conservation Commission

Owner/Applicant Commitments

I (we) certify that the statements hereinabove made and the documents submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to allow Zoning Board of Appeals members access to the property for informal, independent site visits, for the purpose of evaluating this application prior to the Board rendering its decision.

Signature of applicant Cecilia Deschenes Date: 4/20/23

Signature of property owner Cecilia Deschenes Date: 4/21/23

Applicant must provide a current list of all names and addresses of abutting property owners.

NAME

ADDRESS

TOWN

ZIP CODE

please see attached

ESSEX VILLAGE REAL ESTATE LLC
59 SOUTH MAIN ST
ESSEX, CT 06426

CLARK SHARON D
11 HILLTOP AVE
ESSEX, CT 06426

HUDSON NANCY S TRUSTEE
56 SOUTH MAIN ST
ESSEX, CT 06426

CARLUCCI MICHAEL V & SUSAN M
1 MACK LA
ESSEX, CT 06426

REAMER ERNEST D & LINDA M
17 HILLTOP AVE
ESSEX, CT 06426

RUDD TRACEY L
54 SOUTH MAIN ST
ESSEX, CT 06426-1146

SEARS, CUSHMAN A & KATHLEEN A
1756 LIMA ST
AURORA, CO 80010

MARSHALL ROBBIE A & TYLER ROBERT M
46 SOUTH MAIN ST
ESSEX, CT 06426

MOUNTZOURES PETER L
57 FOUR MILE RIVER RD
OLD LYME, CT 06371

WALDMAN DAVID A & STACY WALDMAN BASS
TRUSTEES
52 SOUTH MAIN ST
ESSEX, CT 06426

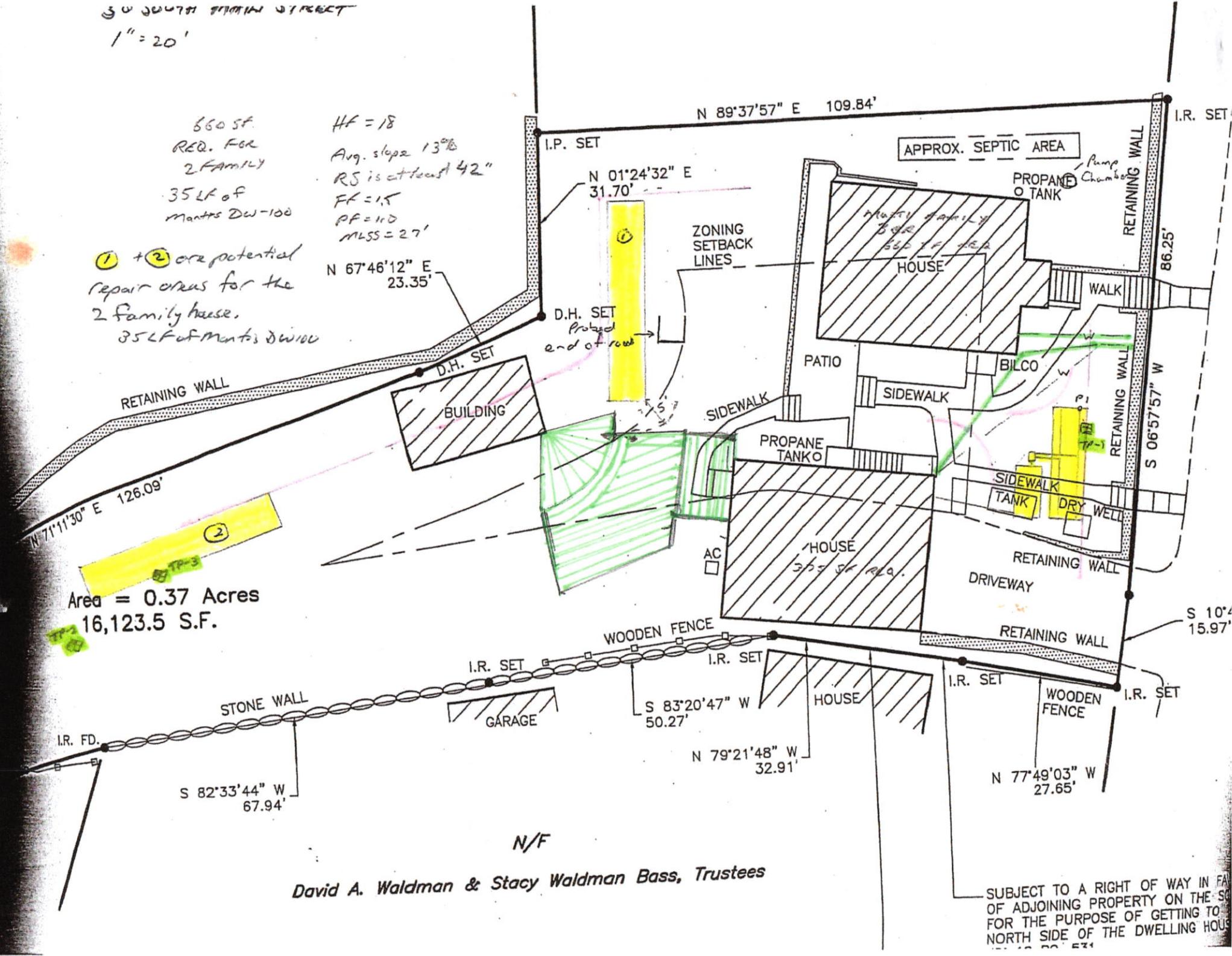
30 SOUTH MAIN STREET
 1" = 20'

660 SF.
 REQ. FOR
 2 FAMILY
 35 LF of
 Mantra DW-100

HF = 18
 Avg. slope 13%
 RS is at least 42"
 FF = 1.5
 PF = 1.0
 MLSS = 27'

① + ② are potential
 repair areas for the
 2 family house.
 35 LF of Mantra DW100

Area = 0.37 Acres
 16,123.5 S.F.



N/F

David A. Waldman & Stacy Waldman Bass, Trustees

SUBJECT TO A RIGHT OF WAY IN FAVOR OF ADJOINING PROPERTY ON THE SOUTH FOR THE PURPOSE OF GETTING TO NORTH SIDE OF THE DWELLING HOUSE